

MINIMUM EXTENT OF SERVICE

§ 208.25 Minimum service requirements.

Each supplemental air carrier shall perform services authorized by its certificate or authority to engage in supplemental air transportation for at least 500 hours of revenue flight in any two consecutive calendar quarters. Failure to perform such minimum services will be deemed to constitute a prima facie case for suspension of the carrier's operating authority pursuant to the provisions of section 401(n)(5) of the Act: *Provided*, That the carrier may, within 15 days after the end of the two consecutive calendar quarters in which such failure occurred, show unusual circumstances constituting good cause why its operating authority should not be suspended.

OPERATIONS

§ 208.30 Baggage liability.

Air carriers shall not limit their baggage liability for interstate and overseas charter flights except as set forth in 14 CFR part 254.

[ER-1312, 48 FR 227, Jan. 4, 1983; 48 FR 3584, Jan. 26, 1983]

§ 208.31 Transportation of persons who may need help during aircraft evacuation.

Except as set forth in part 121 of the Federal Aviation Regulations (14 CFR part 121), air carriers shall not limit the availability, upon reasonable request, of air transportation and related services to a person who may require help from another person in expeditiously moving to an emergency exit for evacuation of an aircraft.

[ER-1172, 44 FR 33054, June 8, 1979]

§ 208.31a Written agreements with ticket agents.

Each agreement between a supplemental air carrier and any ticket or cargo agent shall be reduced to writing and signed by all the parties thereto, if it relates to any of the following subjects:

- (a) The furnishing of persons or property for transportation;
- (b) The arranging for flights for the accommodation of persons or property;

- (c) The solicitation or generation of passenger or cargo traffic to be transported;
- (d) The charter or lease of aircraft.

§ 208.31b Written contract with charterers.

Every agreement to perform a charter trip, except charters for the Department of Defense, shall be in writing and signed by an authorized representative of the supplemental air carrier and the charterer prior to operation of a charter flight: *Provided*, That where execution of a contract prior to commencement of flight is impracticable because the charter has been arranged on short notice, compliance with the provision hereof shall be effected within seven (7) days after commencement of the flight. The written agreement shall include without limitation:

- (a) Date and place of execution of the contract or agreement;
- (b) Signature, printed or typed name of each signatory, and official position of each;
- (c) Dates of flights and points involved;
- (d) Type and capacity of aircraft: Number of passenger seats available or pounds of cargo capacity;
- (e) Rates, fares, and charges applicable to the charter trip, including the charter price, live and ferry mileage charges, and layover and other non-flight charges;
- (f) The name and address of either the surety whose bond secures advance charter payments received by the carrier or of the carrier's depository bank to which checks or money orders for advance charter payments are to be made payable, as escrow holder pending completion of the charter trip; and
- (g) A statement that unless the charterer files a claim with the carrier, or, if he is unavailable, with the surety, within sixty (60) days after the cancellation of a charter trip with respect to which the charterer's advance payments are secured by the bond, the Surety shall be released from all liability under the bond to such charterer for such charter trip. (see § 208.40(e)).

[ER-810, 38 FR 20256, July 30, 1973, as amended by ER-1127, 44 FR 33054, June 8, 1979; 44 FR 40884, July 13, 1979]